

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

AIRE TECHNOLOGY LTD.,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 6:21-cv-01101-ADA

**JURY TRIAL DEMANDED**

**ORDER DENYING STAY**

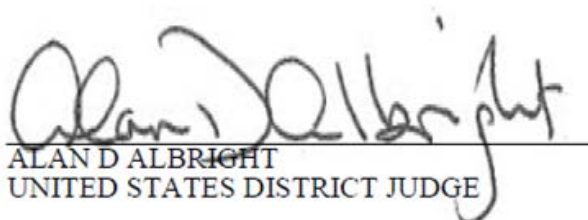
This Court, after considering Defendant Apple Inc.'s Opposed Motion to Stay Proceeding Pending Mandamus Review, is of the opinion that the motion should be **DENIED**. ECF No. 55.

Apple represented to the Court:

Should [Plaintiff] request a reasonable continuance, however, Apple would not oppose. Moreover, a continuance would not affect the overall trajectory of this case. Under this Court's Second Amended Standing Order . . . fact discovery will commence on July 18 regardless of whether a continuance is or is not granted.

ECF No. 36 at 6. Fact discovery is continuing, as envisioned by Apple. Apple is estopped from seeking a stay for the duration of a reasonable continuance, such as the pendency of mandamus review. On this basis, the stay is **DENIED**.

SIGNED this 13th day of September, 2022.

  
ALAN D ALBRIGHT  
UNITED STATES DISTRICT JUDGE